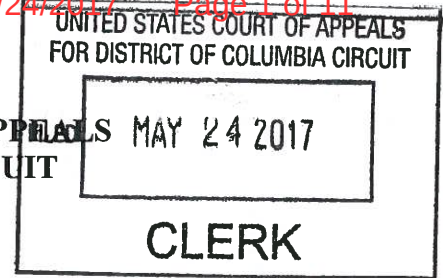


BEFORE THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT



The Town of Weymouth, Massachusetts,)

Petitioner)

v.)

Federal Energy Regulatory Commission,)

Respondent)

DOCKET NO. 17-1135

PETITION FOR REVIEW

The Town of Weymouth, Massachusetts (the “Town”) hereby files this Petition for Review of the Order of the Federal Energy Regulatory Commission’s Order Issuing Certificate and Authorizing Abandonment, FERC Docket No. CP16-9-000, 158 FERC ¶61,061 (Jan. 25, 2017) (the “Certificate Order”), granting to Algonquin Gas Transmission, LLC and Maritimes & Northeast Pipeline LLC (collectively, the “Natural Gas Companies”), under Section 7(c) of the *Natural Gas Act*, 15 U.S.C. §717f(c), and Part 157 of the Commission’s regulations, 18 CFR pt. 157, authorization to construct and operate certain pipeline and compression facilities in New York, Connecticut, and Massachusetts (known as the “Atlantic Bridge Project”).

On October 22, 2015, the Natural Gas Companies filed an application for the construction and operation of the Atlantic Bridge Project, which includes the construction of a new natural gas compressor station within the Town. The Town intervened in the Commission proceeding below. See 158 FERC ¶61,061, ¶14 and Appendix A (granting timely, unopposed motions to intervene).

ORIGINAL
ORIGINAL

As required by 15 U.S.C. §717r(a), the Town filed a timely Request for Rehearing on February 24, 2017. The Commission had 30 days to act on that Request or it would be deemed constructively denied by operation of law. *Id.* Concurrently, the Town filed a Motion for Stay of Order, seeking a stay of the Certificate Order until the Commission acts on the Request for Rehearing.

The Commission did not validly act on the Request for Rehearing by March 27, 2017, 30 days after the Town's Request for Rehearing, and the Request was therefore constructively denied as of that date.

On March 27, 2017, Secretary Kimberly D. Bose issued an "Order Granting Rehearings for Further Consideration," FERC Docket CP16-9-001 (the "Tolling Order"). Despite its title, however, the Tolling Order does not actually grant a rehearing, but instead purports only to "afford additional time for consideration of the matters raised or to be raised." This Tolling Order did not address the Town's motion for stay of the Certificate's effectiveness.

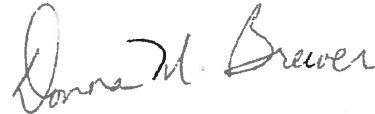
On April 25, 2017, the Town filed a Request for Rehearing of this Order, challenging the authority of the Secretary to issue such an order in the absence of a quorum of FERC members.

The Town hereby requests review of the Certificate Order and further requests that it be set aside as to those parts that relate to the construction and operation of a natural gas compressor station in the Town of Weymouth.

Pursuant to 15 U.S.C. §717r, this Petition for Review is timely filed within 60 days of the constructive denial of the Town's Request for Rehearing. This Court has

jurisdiction to review the Certificate Order pursuant to Section 19(b) of the *Natural Gas Act*, 15 U.S.C. §717r(b).

Respectfully submitted,



Donna M. Brewer (Bar No. 60339)
Miyares and Harrington LLP
40 Grove Street, Suite 190
Wellesley, MA 02482
Tel: 617-489-1600
Fax: 617-489-1630
Dbrewer@miyares-harrington.com

Joseph Callanan*
Town Solicitor
Town of Weymouth
75 Middle Street
Weymouth, MA 02189
Tel: 781-682-3503
jcallanan@weymouth.ma.us

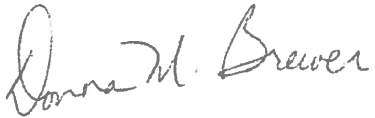
Counsel to Petitioner
May 23, 2017

* Not a member of the D.C Circuit Bar; Application for Admission is forthcoming

Certificate of Service

I, Donna M. Brewer, certify that on May 23, 2017, I have caused to be served the foregoing Petition for Review on all parties on the Official Service List for FERC Docket No. CP16-9-000 by first class mail, return receipt requested, where mailing addresses are indicated, and by electronic mail. A copy of the Official Service List identifying those served is attached.

Respectfully submitted,

A handwritten signature in cursive script that reads "Donna M. Brewer". The signature is written in dark ink and is positioned above a horizontal line.

Donna M. Brewer



FERC Online
Home

About FERC
Online

Log Out

Edit
Registration

Company
Registration

eFiling

eSubscription

eComment

Query Mailing
List/Recipients
by State

Query Service
List

My Service List

eLibrary

eTariff Viewer

Help

Service List for CP16-9-000 Algonquin Gas Transmission, LLC

Contacts marked ** must be postal served

Party	Primary Person or Counsel of Record to be Served	Other Contact to be Served
SANDRA PETERS	SANDRA PETERS 57 WEYBOSSET STREET NORTH WEYMOUTH, MASSACHUSETTS 02191 UNITED STATES sunandsand222@yahoo.com	
Rebecca Haugh	Rebecca Haugh District 1 Town Councilor 34 Evans Street Weymouth, MASSACHUSETTS 02191 UNITED STATES rebecca.a.haugh@gmail.com	
Michael Hayden	Michael Hayden Attorney Morrison Mahoney LLP 250 Summer Street Boston, MASSACHUSETTS 02210 UNITED STATES mhayden@morrisonmahoney.com	
Michael Hayden	Lori Hayden Mrs. Lori Hayden, Esq. 10 Prescott Terrace Quincy, MASSACHUSETTS 02169 UNITED STATES lorihayden@gmail.com	
Stephen Cole-Hatchard	Stephen Cole-Hatchard 315 Route 210 Stony Point, NEW YORK 10980 UNITED STATES scolehatchard@frontline.net	
Gary Peters	Gary Peters Mr. Gary Peters BS,REHS,RS,INC 34 Bluff Road Weymouth, MASSACHUSETTS 02191 UNITED STATES gpoetical@hotmail.com	
Sue Carrillo	Sue Carrillo Consultant PO Box 56122 Washington, DISTRICT OF COLUMBIA 20040 UNITED STATES knowledgeinexhaustibleelectorate@yahoo.com	
Algonquin Gas Transmission, LLC	Berk Donaldson General Manager, Rates and Cer Spectra Energy Transmission, LLC 5400 Westheimer Ct. Suite WO 6N-63 Houston, TEXAS 77056 UNITED STATES Berk.Donaldson@enbridge.com	Chris Harvey 5400 WESTHEIMER COURT Office 6061 Houston, TEXAS 77056-531 clharvey@spectraenergy.com
Algonquin Gas Transmission, LLC		Austin Isensee Certificate Analyst Spectra Energy Corp 5400 Westheimer Ct. Houston, TX, TEXAS 77056-5310 acisensee@spectraenergy.com

Algonquin Gas Transmission, LLC	Steven Hellman Associate General Counsel Algonquin Gas Transmission Company 5400 Westheimer Ct. Houston, TEXAS 77056-5310 UNITED STATES sehellman@spectraenergy.com	Brian Keegan 43 anna rd weymouth, MASSACHUSETTS 02191 brian.keegan@ameripride.com
Algonquin Tinker Gen Co.	Richard Leehr President Liberty Utilities (Pipeline & Transmission) Corp Liberty Utilities (Pipelines & Transmission) Corp. 28 South Shore Road Salem, NEW HAMPSHIRE 03079 UNITED STATES Richard.Leehr@libertyutilities.com	
Algonquin Tinker Gen Co.	Wendy Warren Wright & Talisman, PC 1200 G Street, N.W. Suite 600 Washington, DISTRICT OF COLUMBIA 20005 UNITED STATES warren@wrightlaw.com	
Algonquin Tinker Gen Co.	Victoria Lauterbach lauterbach@wrightlaw.com	
Allegheny Defense Project	Ryan Talbott 5020 NE 8th Avenue Portland, OREGON 97211 UNITED STATES rtalbott@alleghenydefense.org	
Almar LLC	Philip Simpson Robinson Brog 875 Third Avenue -- Ninth Floor New York, NEW YORK 10022 UNITED STATES pts@robinsonbrog.com	
Calpine Energy Services, L.P.	Brian Fields Gas, Regulatory Calpine Corporation 717 Texas, Suite 1000 Houston, TEXAS 77002 UNITED STATES Brian.Fields@calpine.com	Jay Dibble Director - Regulatory INDIVIDUAL 717 Texas Avenue Suite 1000 Houston, TEXAS 77002 Jay.Dibble@Calpine.com
Calpine Energy Services, L.P.		Sarah G. Novosel, ESQ Senior VP and Managing Counsel Calpine Corporation 875 15th Street, NW Suite 700 Washington, DISTRICT OF COLUMBIA 20005 snovosel@calpine.com
Calpine Energy Services, L.P.		Krystin M Worsham Administrative Assistant Calpine 717 Texas Street #1000 Houston, TEXAS 77002 Krystin.Worsham@calpine.com
Calpine Energy Services, L.P.		Meghan Gruebner Eversheds Sutherland (US) LLP 700 Sixth Street, NW, Suite 700 Washington, DISTRICT OF COLUMBIA 20001 MeghanGruebner@eversheds-sutherland.com
Calpine Energy Services, L.P.		Paul F Forshay Attorney Eversheds Sutherland (US) LLP 700 Sixth Street, N.W. Suite 700

		Washington, DISTRICT OF COLUMBIA 20005/348017 PaulForshay@eversheds- sutherland.com
Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc.	Paul Savage Consolidated Edison Development, Inc. 4 Irving Place, room 1875-s New York, NEW YORK 10003 UNITED STATES savagep@coned.com	Scott Butler Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc. 4 Irving Place New York, NEW YORK 10003 butlers@coned.com
Eversource Energy Service Company	Andrew Katz Senior Counsel Northeast Utilities Service Company 901 F Street Suite 602 Washington, DISTRICT OF COLUMBIA 20004 UNITED STATES katzas@nu.com	
Exelon Corporation	Christopher Wilson Director, Federal Regulatory A Exelon Corporation 101 Constitution Ave, NW Suite 400E Washington, DISTRICT OF COLUMBIA 20001 UNITED STATES FERCe-filings@exeloncorp.com	Lisa Michelle Simpkins Environmental and Fuels Policy Exelon Corporation 100 Constellation Way Suite 600C Baltimore, MARYLAND 21202 lisa.simpkins@exeloncorp.com
Exelon Corporation		Christopher D. Young Senior Counsel Constellation Energy Commodities Group, Inc. 111 Market Street, Suite 500 Baltimore, MARYLAND 21202 Christopher.Young@Constellation.com
Food & Water Watch	Karina Wilkinson 100 Lawrence Ave Highland Park, NEW JERSEY 08904 UNITED STATES kwilkinson@fwwlocal.org	
GDF Suez Gas NA LLC	Jason Austin VP & General Counsel GDF Suez Gas NA LLC 1990 Post Oak Blvd Suite 1900 Houston, TEXAS 77056 UNITED STATES jason.austin@na.engie.com	
Liberty Utilities (Pipeline & Transmission) Corp.	Richard Leehr President Liberty Utilities (Pipeline & Transmission) Corp Liberty Utilities (Pipelines & Transmission) Corp. 28 South Shore Road Salem, NEW HAMPSHIRE 03079 UNITED STATES Richard.Leehr@libertyutilities.com	
Liberty Utilities (Pipeline & Transmission) Corp.	Wendy Warren Wright & Talisman, PC 1200 G Street, N.W. Suite 600 Washington, DISTRICT OF COLUMBIA 20005 UNITED STATES warren@wrightlaw.com	
Liberty Utilities (Pipeline & Transmission) Corp.	Victoria Lauterbach lauterbach@wrightlaw.com	
	Elizabeth Whittle	

Maine Natural Gas Corporation	Partner Nixon Peabody LLP 401 Ninth Street, N.W. Suite 900 Washington, DISTRICT OF COLUMBIA 20004 UNITED STATES ewhittle@nixonpeabody.com	Linda Dent 89 East Avenue Rochester, NEW YORK 14649 Linda_dent@rge.com
Maritimes & Northeast Pipeline, L.L.C.	Steven Hellman Associate General Counsel Algonquin Gas Transmission Company 5400 Westheimer Ct. Houston, TEXAS 77056-5310 UNITED STATES sehellman@spectraenergy.com	
Massachusetts Energy Facilities Siting Board	Robert Shea Presiding Officer Commonwealth of Massachusetts Energy Facilities Siting Board One South Station Boston, MASSACHUSETTS 02110 UNITED STATES Robert.J.Shea@state.ma.us	
Mobil Natural Gas Inc.	Kevin Sweeney John & Hengerer 1730 Rhode Island Avenue, N.W. Suite 600 Washington, DISTRICT OF COLUMBIA 20036-3116 UNITED STATES ksweeney@jhenergy.com	Sommer Louie Exxon Mobil Corporation 22777 Springwoods Village Parkway Spring, TEXAS 77389 sommer.n.louie@exxonmobil.com
Mobil Natural Gas Inc.		Randy E Parker ExxonMobil Gas & Power Marketing Company 2277 Springwoods Village Parkway Spring, TEXAS 77389 randy.e.parker@exxonmobil.com
Mobil Natural Gas Inc.		Lee Ann Johnson IMPERIAL OIL RESOURCES, ALBERTA L.P. 505 Quarry Park Blvd. SE Calgary, ALBERTA T2C 5N1 leeann.johnson@esso.ca
National Grid Gas Delivery Companies	Kenneth Maloney Attorney KeySpan Energy Delivery Companies, The Cullen and Dykman LLP 1101 14th ST., NW, Suite 750 Washington, DISTRICT OF COLUMBIA 20005 UNITED STATES kmaloney@cullenanddykman.com	Samara A Jaffe samara.jaffe@us.ngrid.com
National Grid Gas Delivery Companies		Patrick J. Tarmey Senior Counsel, FERC Regulator National Grid 40 Sylvan Rd. Waltham, MASSACHUSETTS 02451 patrick.tarmey@nationalgrid.com
National Grid Gas Delivery Companies		John E Allocca john.allocca@us.ngrid.com
New England Local Distribution Companies		Debra A Palmer, ESQ Attorney Schiff Hardin LLP 901 K Street, NW Suite 700 Washington, DISTRICT OF COLUMBIA 20001 dpalmer@schiffhardin.com
		John Rudiak Director, Energy Services

New England Local Distribution Companies	Director-Energy Services Energy Services PO Box 1500 Hartford, 06144-1500 jrudiak@ctgcorp.com
New England Local Distribution Companies	Deepak A Raval Federal Energy Specialist NiSource Corporate Services Co. 290 W Nationwide Blvd Columbus, OHIO 43215 draval@nisource.com
New England Local Distribution Companies	Francisco C DaFonte Director, Energy Procurement Liberty Utilities (New England Natural Gas) Corp 11 Northeastern Blvd Salem, NEW HAMPSHIRE 03079 chico.dafonte@libertyutilities.com
New England Local Distribution Companies	Robert S Furino Director, Energy Contracts UNITIL SERVICE CORPORATION 6 Liberty Lane West Hampton, NEW HAMPSHIRE 03842 furino@unitil.com
New England Local Distribution Companies	Andrew S Katz Senior Counsel Northeast Utilities 901 F Street, N.W. Suite 602 Washington, DISTRICT OF COLUMBIA 20004 andrew.katz@eversource.com
New England Local Distribution Companies	John P Gregg, ESQ Managing Partner McCarter & English LLP 1015 15th St., N.W. Suite 1200 Washington, DISTRICT OF COLUMBIA 20005 jgregg@mccarter.com
New England NG Supply, Ltd.	Randall Rich Partner Pierce Atwood LLP Pierce Atwood LLP 1875 K Street, NW Washington, DISTRICT OF COLUMBIA 20006 UNITED STATES rrich@pierceatwood.com
New Jersey Natural Gas Company	William Scharfenberg Attorney NJR Service Corporation PO Box 1415 Wall, NEW JERSEY 07719 UNITED STATES wscharfenberg@njresources.com
	Doug Rudd Gas Analyst New Jersey Natural Gas Company PO Box 1415 Wall, NEW JERSEY 07719 dcrudd@njresources.com
New York Attorney General	Philip Bein Assistant Attorney General New York State Attorney General's Office The Capitol Albany, NEW YORK 12224 UNITED STATES philip.bein@ag.ny.gov
New York State Department of Environmental Conservation	Sita Crouse Senior Attorney NYS Department of Environmental Conservation 625 Broadway ALBANY, NEW YORK 12233-1500 UNITED STATES

New York State Electric & Gas Corporation	<p>sita.crounse@dec.ny.gov Elizabeth Whittle Partner Nixon Peabody LLP 401 Ninth Street, N.W Suite 900 Washington, DISTRICT OF COLUMBIA 20004 UNITED STATES ewhittle@nixonpeabody.com</p>	<p>Linda Dent 89 East Avenue Rochester, NEW YORK 14649 Linda_dent@rge.com</p>
NJR Energy Services Company	<p>William Scharfenberg Attorney NJR Service Corporation PO Box 1415 Wall, NEW JERSEY 07719 UNITED STATES wscharfenberg@njresources.com</p>	<p>Ginger Richman Director NJR ENERGY SERVICES COMPANY PO Box 1415 Wall, NEW JERSEY 07719 gprichman@njresources.com</p>
Pipe Line Awareness Network for the Northeast, Inc.	<p>Kathryn Eiseman 17 Packard Rd Cummington, MASSACHUSETTS 01026 UNITED STATES katyeiseman@gmail.com</p>	
Portland Natural Gas Transmission System	<p>Eva Neufeld Associat General Counsel TransCanada Corporation 717 Texas St, Ste 2400 Houston, TEXAS 77002 UNITED STATES eva_neufeld@transcanada.com</p>	
PSEG Energy Resources & Trade LLC	<p>Cara Lewis Assistant Regulatory Counsel 80 Park Plaza, T5 Newark, NEW JERSEY 07102 UNITED STATES cara.lewis@pseg.com</p>	<p>David F. Caffery Dir. Ptflo Mgmt & Reg PSEG Energy Resources & Trade LLC 80 Park Plaza, T-19 Newark, NEW JERSEY 07102 david.caffery@pseg.com</p>
QUINCY, CITY OF	<p>Paul Hines Assistant City Solicitor QUINCY, CITY OF City of Quincy 1305 Hancock Street Quincy, MASSACHUSETTS 02169 UNITED STATES phines@quincyma.gov</p>	
Repsol Energy North America Corporation	<p>Emil Barth INDIVIDUAL 1299 Pennsylvania Ave. NW Washington, DISTRICT OF COLUMBIA 20004 UNITED STATES emil.barth@bakerbotts.com</p>	<p>Thomas J. Eastment Attorney Baker Botts LLP 1299 Pennsylvania Avenue, N.W. Washington, DISTRICT OF COLUMBIA 20004 tom.eastment@bakerbotts.com</p>
Repsol Energy North America Corporation		<p>Xochitl M. Perales Legal Counsel Repsol Energy North America Corporation 2001 Timberloch Place Suite 3000 The Woodlands, TEXAS 77380 xperalesm@repsol.com</p>
Riverkeeper, Inc.		<p>Jennifer McCave Riverkeeper, Inc. Riverkeeper, Inc. 20 Secor Road Ossining, NEW YORK 10950 jmccave@riverkeeper.org</p>
Stop the Algonquin Pipeline Expansion	<p>Susan Van Dolsen 29 Highland Rd. Rye, NEW YORK 10580 UNITED STATES svandolsen@gmail.com</p>	
	Tomasz Lande	Terrv Jo Comes

Tenaska Marketing Ventures	Tenaska Marketing Ventures 14302 FNB Parkway Omaha, NEBRASKA 68154 UNITED STATES tlange@tenaska.com	Regulatory Projects Specialist Tenaska Marketing Ventures 14302 FNB Parkway Omaha, NEBRASKA 68154-5212 tcomes@tenaska.com
WEYMOUTH, MASSACHUSETTS, TOWN OF	Ivria Fried 40 Grove Street Suite 190 Wellesley, MASSACHUSETTS 02482 UNITED STATES ifried@miyares-harrington.com	

[Back to Query Service List](#)[Back to FEROnline](#)

For any issues regarding FER Online, please contact FER Online Support or call Local: 202-502-6652 | Toll-free: 866-208-3676. Please include a current mail address, telephone number, and e-mail address.